

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

WAYNE AUSTIN AND KAYE AUSTIN,

Plaintiffs,

vs.

Case No. 2:09-cv-14147

EVANS & LUPTAK, P.L.C. and MICHAEL J.
MEHR,

Hon. Victoria A. Roberts

Defendants.

PLAINTIFFS' PRELIMINARY FACT WITNESS LIST

Plaintiffs, Wayne Austin and Kaye Austin, by and through their attorneys, The Googasian Firm, P.C., submits Plaintiffs' Preliminary Fact Witness List. Plaintiffs reserve the right to call additional witnesses identified through ongoing discovery.

1. Kaye Austin.
c/o Thomas H. Howlett, Esq.
6895 Telegraph Road
Bloomfield Hills, MI 48301
2. Wayne Austin.
c/o Thomas H. Howlett, Esq.
6895 Telegraph Road
Bloomfield Hills, MI 48301
3. Any and all family members and friends of Kaye Austin and Wayne Austin.
4. Michael J. Mehr.
5. Any current or former employee, agent, representative or records custodian of Evans & Luptak, P.L.C. 7457 Franklin Road, Suite 250, Bloomfield Hills, MI 48301, including, but not limited to, the following: Andrew Ayar; Cathy Carroll; Ed Deron; Margie Van Houten; Michael J. Mehr; Dan Serlin; and David B. Trivax.

6. Bunny Hodas
5109 Hunt Stand Lane
Charlotte, NC 28226
7. Ernest Hodas
35 Harlan Drive
Bloomfield Hills, MI 48304
8. Rachel Hodas
55 Rue de Seine
75006 Paris France
9. Robert Hodas
1384 Queens Road
Berkeley, CA 94708
10. Shirley Hodas
35 Harlan Drive
Bloomfield Hills, MI 48304
11. Any current or former employee, agent, representative or records custodian of Hodas Associates, L.P., including, but not limited to, the following: Ernest Hodas; Robert Hodas; and Bunny Hodas.
12. Robert Shaw
71 Walnut Boulevard, Suite 109
Rochester, MI 48307
13. Sally Chaney.
14. Jay A. Fishman.
15. Sarah Olson-Rosenbaum.
16. Any current or former employee, agent, representative or records custodian of Jay A. Fishman, Ltd., 101 W. Big Beaver Road, Troy, MI 48084.
17. Any current or former employee, agent, representative or records custodian of John D. Gifford & Associates, Inc., P.O. Box 7501, Bloomfield Hills, MI 48302, including, but not limited to, the following: John D. Gifford.

18. Frank Henry, CPA
35639 Ellsworth
Sterling Heights, MI 48312
19. Anthony E. Grass
Address Currently Unknown
20. Any current or former employee, agent, representative or records custodian of John R. Fournier Appraisals, 5025 N. Central Avenue #526, Phoenix, AZ 85012, including, but not limited to, the following: John R. Fournier.
21. Anne Javier.
22. Rod Javier.
23. Steve Mathews.
24. Patricia M. Peterson.
25. Todd Peterson.
26. Bob Wagner.
27. Dan Weale.
28. Dr. David Wilson.
29. Any current or former employee, agent, representative or records custodian of Dr. David Wilson, 11219 N. State Highway, Fort Jones, CA 96302.
30. Any current or former employee, agent, representative or records custodian of Dr. David Wilson.
31. Any current or former employee, agent, representative or records custodian of A.G. Edwards.
32. Any current or former employee, agent, representative or records custodian of Bloom & Ruttenberg, 11111 Santa Monica Boulevard, Suite 1840, Los Angeles, CA 90025, including, but not limited to, the following: Gary M. Ruttenberg and Stefanie Cutter.
33. Any current or former employee, agent, representative or records custodian of Evans, Latham & Campisi, One Post Street, Suite 600, San Francisco, CA 94104, including, but not limited to, the following: Dominic J. Campisi and Thomas W. Latham.

34. Any current or former employee, agent, representative or records custodian of The Law Offices of Darrin W. Mercier, including, but not limited to, the following: Darrin Mercier.

35. Any current or former employee, agent, representative or records custodian of The Law Offices of Michael Thamer, including, but not limited to, the following: Michael Thamer.

36. Any current or former employee, agent, representative or records custodian of Siskiyou County Title Company, including, but not limited to, the following: David Collier.

37. Any current or former employee, agent, representative or records custodian of LTM, Incorporated, 4950 Plainfield Avenue NE, Suite H-5, Grand Rapids, MI 49525, including, but not limited to, the following: Larry T. McKnight.

38. Any current or former employee, agent, representative or records custodian of Stewart & Company, Inc., 1919 Courtney Drive, Suite 9, Fort Myers, FL 33901, including, but not limited to, the following: William E. Stewart, Jr.

39. Any current or former employee, agent, representative or records custodian of Gillis Trott, LLC, 31440 Northwestern Highway, Suite 330, Farmington Hills, MI 48334, including, but not limited to, the following: James Valiquett.

40. Any records custodian for any of the entities identified in this witness list.

41. Any and all witnesses listed by Defendant.

42. Any and all witnesses identified in Depositions, Answers to Interrogatories, Answers to Request to Admissions, Responses to Requests for Production of Documents or documents produced in response to Requests for Production of Documents or FOIA requests.

43. Any and all witnesses later discovered or witnesses known whose testimony later becomes relevant or desirable.

44. Any and all rebuttal witnesses, including rebuttal expert witnesses.

45. Plaintiffs reserve their right to amend Plaintiffs' Preliminary Fact Witness List.

Respectfully submitted,
THE GOOGASIAN FIRM, P.C.

s/Thomas H. Howlett
THOMAS H. HOWLETT (P57346)
GEORGE A. GOOGASIAN (P14185)
DEAN M. GOOGASIAN (P53995)
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Dated: April 15, 2010

CERTIFICATE OF SERVICE

I hereby certify that on April 15, 2010, I electronically filed the foregoing paper with the Clerk of the Court using the ECF system which will send notification of such filing to all attorneys of record.

s/Thomas H. Howlett
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Bloomfield Hills, MI 48301
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